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Attorneys for Defendants U.S. HOME CORPORATION;  
LENNAR CORPORATION; and LENNAR SALES CORP.

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

AZURE MANOR/RANCHO DE PAZ  
HOMEOWNERS ASSOCIATION, a Nevada  
residential, common-interest planned  
community,

Plaintiff,

v.

U.S. HOME CORPORATION, a Delaware  
corporation; LENNAR CORPORATION, a  
Nevada corporation; LENNAR SALES  
CORP., a California corporation, and DOES 1-  
100, inclusive,

Defendants.

CASE NO.: 2:15-cv-00002-JAD-CWH

**STIPULATION AND  
ORDER LIFTING STAY**

ECF No. 37

On May 5, 2015, this Honorable Court entered a stay in this action pending the completion of the NRS Chapter 40 pre-litigation process. (ECF 29). On June 23, 2015, Defendants U.S. HOME CORPORATION, LENNAR CORPORATION, and LENNAR SALES CORPORATION (collectively "Defendants"), filed a motion for partial summary judgment to determine the scope of Plaintiff's NRS Chapter 40 notice (i.e., the number of the homes and issues for which the notice was adequate). (ECF 30). On March 31, 2016, this Court entered an Order on Defendants' motion for partial summary judgment, providing the parties with guidance as to the number of

homes and defects for which Plaintiff, the AZURE MANOR/RANCHO DE PAZ HOMEOWNERS' ASSOCIATION ("Plaintiff"), provided proper notice under Chapter 40. (ECF 36).

Plaintiff and Defendants (collectively, "Parties") met and conferred in an attempt to streamline the Chapter 40 pre-litigation inspection and discovery process. Accordingly, the Parties, by and through their respective counsel of record, **HEREBY STIPULATE AND AGREE to the following terms, subject to the approval of this Court:**

1. Plaintiff will only pursue claims for 49 homes in the Azure Manor/Rancho de Paz community as follows and consistent with this Court's March 31, 2016 Order (ECF 36):

6150	Darnley St.
2909	Alderley Ridge Ave.
6141	Sydney Bay Ct.
2917	Alderley Ridge Ave.
2921	Alderley Ridge Ave.
6134	Darnley St.
2841	Kildare Cove Ct.
2842	Kildare Cove Ct.
2908	Kildare Cove Ct.
2836	Tilten Kilt Ave.
2917	Tilten Kilt Ave.
2834	Bridleton Ave.
2921	Bridleton Ave.
6054	Darnley St.
2913	Kildare Cove Ct.
6134	Sydney Bay Ct.
2908	Bridleton Ave.
2912	Bridleton Ave.
2913	Bridleton Ave.
6074	Darnley St.
6149	Darnley St.
2830	Kildare Cove Ct.
2834	Kildare Cove Ct.
6129	Sydney Bay Ct.
6146	Sydney Bay Ct.
2905	Tilten Kilt Ave.
2909	Tilten Kilt Ave.

1	2913	Tilten Kilt Ave.
2	2920	Tilten Kilt Ave.
3	2929	Bridleton Ave.
4	6082	Darnley St.
5	2916	Kildare Cove Ct.
6	2905	Alderley Ridge Ave.
7	2925	Bridleton Ave.
8	6058	Darnley St.
9	2904	Kildare Cove Ct.
10	2909	Kildare Cove Ct.
11	6137	Sydney Bay Ct.
12	2837	Bridleton Ave.
13	2842	Bridleton Ave.
14	2909	Bridleton Ave.
15	2917	Bridleton Ave.
16	6130	Darnley St.
17	6145	Darnley St.
18	2829	Kildare Cove Ct.
19	2838	Kildare Cove Ct.
20	2905	Kildare Cove Ct.
21	2912	Kildare Cove Ct.
22	2916	Tilten Kilt Ave.

2. Defendants agree not to file a motion to compel the Plaintiff to arbitrate the claims asserted in this litigation.
3. The current stay in this case shall be lifted, effective on the date the Court executes this Stipulation and Order.
4. Inspections will take place after Defendants file their third-party complaint and the time for the third-party defendants to file a responsive pleading has expired. Defendants, on behalf of themselves and their subcontractors expressly reserve the right to make repairs pursuant to NRS 40.647. Any offers to make repairs shall be forwarded to Plaintiff within 30-days after inspections of all 49 homes are completed. At Defendants' request, Plaintiff's experts will be present at the inspections and will identify the location of each alleged construction defect, except for the following homes where Plaintiff's experts have already been present at Defendants' inspections to identify the location of each alleged construction defect:

6130	Darnley St.
6141	Sydney Bay Ct.
6134	Darnley St.
6134	Sydney Bay Ct.
2913	Tilten Kilt Ave.

5. Plaintiff and Defendants agree not to seek reconsideration, appeal, or otherwise act inconsistently with this Court's March 31, 2016 Order (ECF 36).

DATED this 29 day of June, 2016  
ANGUIS & TERRY, LLP

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DATED this 29 day of June, 2016  
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**IT IS SO ORDERED.**

DATED: 6/29/16

  
UNITED STATES DISTRICT JUDGE, DORSEY

4821-1231-4676.1

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